

Upper Delaware Council
WATER USE/RESOURCE MANAGEMENT COMM. MEETING MINUTES
Oct. 19, 2010

Committee Members Present: Serio, Decker, McKay, Shafer, Keesler, Rando
Committee Members Absent: Boyar, Ritter
NPS Partner: D. Hamilton
Advisory Members: None
Staff: Douglass, Soete, Coney, Ramie
Guests: None

The UDC's Water Use/Resource Management Committee held its monthly meeting on Tuesday, Oct. 19, 2010 at the Council office in Narrowsburg, NY. Committee Chairperson Jim Serio opened the meeting at 7:13 p.m. The Sept. 21 meeting minutes were amended by Serio: include a sentence that he disagreed with Reichart's presentation; 4th paragraph, line 6: change an to a; line 7 change evaluation to variation, and they're to there are; last paragraph, line 6: add after metering and "there were". A motion by Rando seconded by Keesler to approve the amended minutes was carried. There was no public comment on the agenda.

Old Business

Flow & Release Presentation and Discussion for Delaware River, Part 5 (Jim Serio): The committee was provided with a draft comment letter for the DRBC Commissioners' Chairperson regarding the Flexible Flow Management Program that will expire in May 2011. The DRBC committees will be discussing the FFMP in the near future. The committee discussed the draft letter and made changes. Following that, a motion by Keesler seconded by Shafer to have staff draft up the amended letter, issue to committee for review, and forward final draft to the full Council for action was carried.

Upper Delaware Scenic Byway, Inc. Update: Ramie reported on the Byway activities. The group met on Sept. 27. They welcomed the new City of Port Jervis rep, Dan Van Kleeck. They will be reviewing resumes to refill the Business Membership Representative position. The Rt. 97 landscape enhancement project is completed with a final report received from the consultant. Five sites were included in this project. It was reported that NYS DOT has given approval for additional rights of way that could be included in further landscape projects. The group is considering extending the grant for this project since there is a balance in the account. They are reviewing an in-house draft proposal to submit a project for funding consideration to federal and state legislators to inventory and assess the conditions of public access areas along the Byway route. There was a report that NYS DEC has renewed its lease with the owner of a private 20-acre site in Sparrowbush to continue use as a river access. The property is still up for sale. This site is the last public river access between Hawk's Nest and Port Jervis. The architectural firm and Sullivan County Planning are working on finalizing the contract for the Byway visitor center feasibility study. They are still awaiting the return of an executed state contract for this grant project which had been submitted in June. The toll-free hotline number (866-511-8372) has been transferred to the Town of Lumberland offices to accept calls. Formerly, the Village of Hancock provided this service. The Japanese Knotweed portion of the Invasive Plant Species Educational Campaign & Interpretive Panels Grant has seen a subcommittee formed and meetings started. The next meeting of the Byway group will be Oct. 25 at the UDC office.

New Business

DRBC Announces Draft Natural Gas Regulations Moved to Nov. or Dec.: The committee was informed that on Oct. 15, the Delaware River Basin Commission announced the draft natural gas regulations were not yet ready for public distribution. The commissioners are working with staff to continue refining the draft regulations to ensure protection of basin waters while minimizing regulatory duplication. The draft regulations will likely be published in November or December 2010, and will be accompanied by a public rulemaking process. This process will entail two public hearings and a written comment period.

Common Waters-Upper Delaware River Roundtable Marcellus Shale Meeting Sept. 23: Soete reported he attended the Sept. 23 Common Waters-Roundtable Marcellus Shale meeting at the Tusten Town Hall. They came up with a draft Best Management Practices which was discussed. They're also looking at what they think are sensitive environmental areas relative to gas drilling but further discussion and research will take place on this issue. These forums are conducted by Bill Manner working under a Pinchot Institute grant. The gas company reps in attendance reported they are still working on setting up a clearinghouse for information pertaining to state agencies and other resources regarding natural gas drilling. Newfield and Hess regularly attend these forums.

Nature Conservancy Aquatic Assessment Grant Meeting Oct. 13: Douglass and Hamilton reported that they and Sean met with Eric Olsen of the Nature Conservancy on Oct. 13 regarding a grant the Conservancy received from the U.S. Fish and Wildlife Service to conduct an aquatic assessment of the Delaware River watershed to target conservation areas.

Informational Handouts: Among the informational handouts provided to the committee, Serio called attention to the news article from the Associated Press (AP) that reported environmental groups say the Governor is hobbling the state's ability to protect its natural resources by ordering hundreds of job cuts at the Department of Environmental Conservation. Early retirement incentives lured 260 employees to take advantage of that program, including the well-known biologist Peter Nye, who oversaw the comeback of bald eagles to the state. The agency is losing a lot of institutional knowledge with the departure of those who took early retirement. The group, Environmental Advocates, say the staff cuts since 2008 will hamper the agency's ability to monitor polluters, inspect sites such as natural gas wells, and enforce environmental regulations.

NPS Report: Don Hamilton, National Park Service-Upper Delaware Resource Management, mentioned that U.S. Geological Survey staff from Fort Collins, CO and Wellsboro, PA spent two weeks working on the Upper Delaware River late September into October. They were doing GPS work in the channels and mapping river bathymetry, cross sections and habitats. This work was being done to re-survey river sections that changed significantly following the 2006 flood event.

An extremely low flow event occurred here on Sept. 29 which was documented by the USGS crews in the field at the time. In anticipation of significant tropical storm remnant precipitation, the USGS Delaware River Master cut back reservoir releases in advance of this event. Flows got as low as 544 cfs at Callicoon, 183 cfs at Hale Eddy, 179 cfs at Fishs Eddy, and 148 cfs at Stilesville. There were dozens of Eastern elliptio, Squawfoot, and Alewife floater mussels left high and dry.

The May through September bi-weekly water quality monitoring at 20 sites for 19 water quality parameters is completed for this season.

NPS-Upper Delaware is partnering with NPS Delaware Water Gap in submitting a grant proposal to the National Park Foundation to build on modeling capabilities of the Growth Model, enabling analysis of land use/land cover changes associated with natural gas development.

Hamilton and NPS Superintendent McGuinness attended the DRBC federal summit held Oct. 6 and 7 in Philadelphia. Some topics included: U.S. Fish & Wildlife Service presentation natural gas development impacts on aquatic habitat; U.S. Army Corps of Engineers natural gas framework for study and monitoring; DRBC draft natural gas regulations presented for comment.

Wayne County Oil & Gas Task Force Public Discussion Oct. 19: Douglass announced that the Wayne County Oil & Gas Task Force will be holding an in-depth discussion of state regulations and the drilling process tonight (Oct. 19) from 7 to 9:30 p.m. at the Honesdale High School Auditorium. The agenda will include Marcellus Well Drilling; State Regulation of Marcellus Wells; and Questions & Answer Session.

Public Comment None

Adjournment A motion by Rando seconded by Shafer to adjourn the meeting at 8:14 p.m. was carried.

Carol Coney, Office Manager